

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Masatsugu Maeda et al.
Serial No. : 10/006,265
Filed : December 3, 2001

Art Unit : 1633
Examiner : Anne Marie Sabrina Wehbe
Conf. No. : 5055
Notice of Allowance Date: April 11, 2008

Title : NOVEL HEMOPOIETIN RECEPTOR PROTEIN, NR10

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING PATENT TERM ADJUSTMENT

The Patent Term Adjustment (PTA) calculation included in the notice of allowance mailed April 11, 2008 for the above-referenced application indicates the PTA is 401 days. This PTA appears to be longer than appropriate.

More specifically, the U.S. Patent and Trademark Office did not include an Applicant delay of:

- (1) 92 days for the late filing of an RCE (filed on 6/21/2006); and
- (2) 23 days for the late submission of a "supplemental" response (Information Disclosure Statement filed on 7/14/2006).

Applicant believes that the total Applicant delay should be 393 days, rather than 278 days, and that the total PTA for this application should be **286 days**, rather than 401 days.

Applicant believes that no fee is due at this time. Any fees that may be due, however, may be applied to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

Date:

July 10, 2008



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I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system.